

IN THE UNITED STATES BANKRUTPCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED

MAY 02 2019

CLERK, U.S. BANKRUPTCY COURT
WEST DIST. OF PENNSYLVANIA

In re: Case No. 16-22886-GLT
CHAZ R. PARDUE, Chapter 13

Debtor.

CHAZ R. PARDUE, Related to Dkt. No. 101

Movant,

v.

NATIONSTAR MORTGAGE,

Respondent.

**ORDER DENYING DEBTOR'S
MOTION TO RECONSIDER**

The matter currently before the Court is the *Motion for Reconsideration of Order Denying Application for Approval to Allow Debtor to Re-Enter into the Loss Mitigation Program* (“Motion”) filed on April 30, 2019 by the debtor, Chaz R. Pardue.¹ The *Motion* seeks reconsideration of the Court’s April 16, 2019 *Order*.² For proper context, the debtor filed a *Second Motion for Loss Mitigation* on April 3, 2019, in which he indicated that he was both eligible and prepared to enter into the Loss Mitigation Program and obtain a loan modification with Respondent, Nationstar Mortgage.³ Respondent then filed a *Response* on April 12, 2019, in which it opposed the debtor’s attempt to re-

¹ Dkt. No. 101.

² Dkt. No. 99.

³ Dkt. No. 93.

enter the Loss Mitigation Program on the basis of his poor history of responsiveness and participation.⁴

The *Order* stated explicitly that the Court had reached its decision to deny the *Second Motion for Loss Mitigation* “[n]otwithstanding the facts alleged in the *Response*.⁵” Paragraph 6 of the *Motion* nonetheless states that “[t]his Honorable Court entered the [Order] on April 16, 2019 based on Respondent’s recitation of Debtor’s loss mitigation application history.” This was not the case. Indeed, the *Order* was prepared before the *Response* was received. Once the *Response* had been filed, however, the Court was obligated to acknowledge it in its *Order*. The *Second Motion for Loss Mitigation* was denied solely upon the Court’s independent review of the history of debtor’s attempts to secure a loan modification as reflected on the docket in this case. As the allegations contained in the *Motion* could have no bearing on that determination, there is no basis for the Court to reconsider its *Order*.

Based upon the foregoing, it is hereby **ORDERED, ADJUDGED, and DECREED**, that:

1. The *Motion* [Dkt. No. 101] is **DENIED**.

Dated: May 2, 2019



GREGORY L. PADDONIO
UNITED STATES BANKRUTPCY JUDGE

Case Administrator to Mail to:
Debtor
Lauren Lamb, Esq.
Kevin Frankel, Esq.
Ronda J. Winnecur, Esq.
Office of the U.S. Trustee

In re:
Chaz R. Pardue
DebtorCase No. 16-22886-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lfin
Form ID: pdf900Page 1 of 1
Total Noticed: 1

Date Rcvd: May 02, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 04, 2019.

db +Chaz R. Pardue, 2365 Dutch Ridge Road, Beaver, PA 15009-9754

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 04, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 2, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmllawgroup.com
 Joshua I. Goldman on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmllawgroup.com
 Kevin Scott Frankel on behalf of Creditor NATIONSTAR MORTGAGE LLC pabk@logs.com
 Lauren M. Lamb on behalf of Debtor Chaz R. Pardue
 julie.steidl@steidl-steinberg.com/courtdocs.sands@gmail.com;acordell@steidl-steinberg.com;cgoga@steidl-steinberg.com;LambLR53037@notify.bestcase.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
 Matthew John McClelland on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmllawgroup.com
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 S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
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TOTAL: 9